

SIDEWALK WAIVER APPLICATION AND AGREEMENT CHECKLIST



City of Dallas

REQUIRED DOCUMENTS FOR SIDEWALK WAIVER

By checking each requirement, you are stating that you have supplied correct and complete information. In the event that the required information is not contained in the submitted documents, you will be notified of the deficiency. Failure to supply the additional requested information within five (5) working days after notification may result in your application being delayed and eventually discarded. A new application, the original application, complete plans and a new checklist will be required for re-submittal for plan review. This re-submittal will be treated as a new application and will be processed in the order of receipt.

Sidewalks are required to be constructed before a new building can be occupied. Only the Department Director and Chief Planning Officer may waive this requirement. A waiver does not preclude the City from installing a sidewalk at a later date and assessing the abutting property owner for the cost.

A sidewalk waiver may only be submitted after a building permit application has been submitted, and applicants are urged to submit the waiver application immediately after applying for a building permit to allow time to plan for sidewalk construction if a waiver is denied. There should be no presumption that a sidewalk waiver will be granted. To submit an official request for a sidewalk waiver, an information packet containing all of the following is required:

- 1. Completed *Building Inspection Application*.
- 2. A notarized *Standard Agreement - Sidewalk Waiver* - second page.
- 3. One (1) 8-1/2" x 11" copy of the official City of Dallas zoning map with the subject property centered on the page and highlighted. Zoning maps can be found on-line here: <http://gis.dallascityhall.com/zoningweb> (Firefox or Chrome web browser recommended).
- 4. Photographs depicting reasons as listed in item number 6 below. (*Photographs are optional*)
- 5. A nonrefundable application processing fee of \$208.00.
- 6. Sidewalk waiver applications are reviewed in the context of the City Code Sec. 51A-8.606 as well as the City's Complete Street Policy resolution, adopted January 2016, that strongly favors the incremental construction of sidewalks whenever possible. Possible considerations for sidewalk waivers include pedestrian traffic need related to nearby schools, transit stops, parks and playgrounds, and other population intensive areas and may also include the following:
 - The potential pedestrian traffic in the area is so minimal that sidewalks are not warranted.
 - In a single family or duplex zoning district, at least 50 percent of the lots located on the same side of the block as the proposed project have been developed with completed approved structures without sidewalks.
 - A permanent line and grade cannot be set within the public street right-of-way.
 - It is desirable to reserve natural topography or vegetation preexisting the proposed project, and pedestrian traffic can be accommodated internally on the property.
 - Other reason/justification (attach additional sheets).

I, _____ have read the above information and acknowledge that all required documents have been provided.

Signature _____

Date _____

Please note that staff cannot accept incomplete applications or illegible construction documents.



STANDARD AGREEMENT - SIDEWALK WAIVER

I, _____, owner of the property
located at _____, _____
Street Address Legal Description (Block/Lot)

do hereby agree to install sidewalks in accordance with Dallas City Council Resolution No. 68-1038 at the above listed location within thirty (30) days of receipt of notification that the City Council of Dallas, Texas has denied my request for a waiver of the required sidewalks at the above address.

Further, I understand that should I fail to install sidewalks as required by Resolution No. 68-1038, after notification of denial of my request for a waiver by the City Council, that authorization for occupancy may be withdrawn and utility services terminated until such time as the required sidewalks are installed.

SIGNED: _____, DATE: _____
(Property Owner)

Before me, _____, on this day personally
appeared _____, known to me to be the person whose name is
subscribed to the foregoing instrument and acknowledged to me that he executed
the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this ____ day of _____ 20__.

Notary Public's Signature